

REFERENCE TITLE: **homeowners' associations; declarant failure**

State of Arizona
House of Representatives
Forty-ninth Legislature
First Regular Session
2009

HB 2391

Introduced by
Representative Biggs

AN ACT

AMENDING TITLE 33, CHAPTER 16, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 33-1817; RELATING TO PLANNED COMMUNITIES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Title 33, chapter 16, article 1, Arizona Revised Statutes,
3 is amended by adding section 33-1817, to read:
4 33-1817. Declarant failure; bylaws; covenants
5 FOR ANY PLANNED COMMUNITY IN WHICH THE DECLARANT CEASES TO OPERATE AS A
6 MEMBER:
7 1. WITHIN NINETY DAYS AFTER THE DECLARANT HAS CEASED TO OPERATE, THE
8 MEMBERS SHALL ADOPT BYLAWS AND COMPLETE ANY OTHER MATTERS THAT MAY BE
9 NECESSARY FOR INCORPORATION AND OPERATION OF THE ASSOCIATION.
10 2. ONLY THOSE COVENANTS, CONDITIONS AND RESTRICTIONS THAT RUN WITH THE
11 LAND AS OTHERWISE PROVIDED BY LAW AND THAT ARE CONTAINED IN ANY RECORDED
12 DOCUMENTS THAT PURPORT TO GOVERN THE PLANNED COMMUNITY ARE EFFECTIVE.